

# ***“Celebrating 98 Years of Flood Management”***

## **CENTRAL VALLEY FLOOD PROTECTION BOARD**

California Natural Resources Agency – State of California

3310 El Camino Avenue, Room LL40

Sacramento, California 95821

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### **BOARD MEMBERS**

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Butch Hodgkins, Vice-President

Lady Bug Doherty, Secretary

Teri Rie, Member

John Brown, Member

Emma Suarez, Member

Jared Huffman, Ex Officio Member

Fran Pavley, Ex Officio Member

### **BOARD STAFF**

Jay Punia, Executive Officer

Gary Hester, Chief Engineer

Dan Fua, Supervising Engineer

Eric Butler, Senior Engineer

Virginia Cahill, Legal Counsel

Lorraine Pendlebury, Staff Analyst

Jill Phinney, Support Staff

## **AGENDA**

### **CENTRAL VALLEY FLOOD PROTECTION BOARD JOINT POWERS AGENCY SUB-COMMITTEE <sup>(1)</sup> MEETING**

**February 13, 2009 – 1:00 PM - 4:00 PM**

**Joint Operations Center**

**3310 El Camino Avenue, Conference Room LL20**

**Sacramento, California 95821**

- 1. INTRODUCTIONS**
- 2. SELECTION OF A CHAIRPERSON**
- 3. HISTORY OF THIS ISSUE**
- 4. PRESENTATION ON WHEN, AND FOR WHAT, JOINT POWERS AGENCY (JPA) MEMBER AGENCIES ARE LIABLE FOR THE DEBTS AND LIABILITIES OF THE JPA RELATING TO SIX SPECIFIC SITUATIONS:**
  - a. Where a JPA is found liable in ***tort***, are its member agencies liable for that tort, ***during*** the life of the JPA?
  - b. Where a JPA is found liable in ***tort***, are its member agencies liable for that tort, ***after*** the life of the JPA?
  - c. Where a JPA is found liable for ***breach of contract***, are its member agencies liable for that breach, ***during*** the life of the JPA?
  - d. Where a JPA is found liable for ***breach of contract***, are its member agencies liable for that breach, ***after*** the life of the JPA?

<sup>(1)</sup> The Joint Powers Agency Sub-Committee is a fact-finding committee charged with making recommendations to the Board. As such, the primary purpose of the sub-committee meetings is fact-finding and the development of a recommendation for consideration by the Board. The sub-committee does not have authority to make decisions for the Board.

- e. Where a JPA is found liable in ***inverse condemnation***, are its member agencies liable for that inverse condemnation, ***during*** the life of the JPA?
- f. Where a JPA is found liable in ***inverse condemnation***, are its member agencies liable for that inverse condemnation, ***after*** the life of the JPA?
- 5. **PRESENTATION ON WHAT JPAs AND THEIR MEMBER AGENCIES CAN DO TO INSURE THEIR LOSSES (TYPES OF COVERAGE, AVAILABILITY, COVERAGE AMOUNTS, COSTS)**
- 6. **PRESENTATION ON WHAT INDEMNITIES ARE ENFORCEABLE AND INSURABLE**
- 7. **PRESENTATION ON THE INTERESTS OF THE BOARD IN SEEKING PROTECTION BEYOND ITS STANDARD PERMIT TERMS**
- 8. **PRESENTATION ON THE INTERESTS OF JPAs AND THEIR MEMBER AGENCIES IN LIMITING INDEMNITIES PROVIDED TO THE STATE**
- 9. **DISCUSSION OF NEXT STEPS**
- 10. **SCHEDULING OF NEXT MEETING**
- 11. **PUBLIC COMMENTS**
- 12. **ADJOURN**

Note: If you need reasonable accommodations due to a disability, or need language assistance, please contact the Equal Opportunity Management Investigations Office at (916) 653-6952, or TDD (916) 653-6934 at least a week prior to the meeting.

For further information about items on this agenda, please contact Lorraine Pendlebury, 3310 El Camino Avenue, Room LL40, Sacramento, CA 95821, [lpendleb@water.ca.gov](mailto:lpendleb@water.ca.gov), or (916) 574-0609.